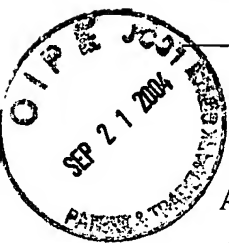


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AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Isao Kanno et al.
App. No. : 10/619,333
Filed : July 14, 2003
For : WATERCRAFT
PROPULSION SYSTEM AND
CONTROL METHOD OF THE
SYSTEM
Examiner : John Kwon
Art Unit : 3747

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 17, 2004

(Date)

Michael A. Guiliana, Reg. No. 42,611

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Election of Species Requirement in 2 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Michael A. Guiliana
Registration No. 42,611
Attorney of Record
Customer No. 20,995
(949) 760-0404



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Isao Kanno et al.) Group Art Unit 3747
)
 Appl. No. : 10/619,333)
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(Date)

Michael A. Guiliana, Reg. No. 42,611

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Election of Species Requirement set forth in the Office Action dated September 9, 2004, Applicants hereby elect the Species identified by the Examiner as "I) (Figs. 1-12)" for prosecution in the present application. Claims 1-3, 5-13, 16-18, 21-33, and 35-37 read on the elected Species, with Claims 1-3, 5-13, 16-18, 21-33, and 35-37 being generic.

The present election is being made with traverse. Applicant submits that it is well established that:

If the search and examination of an entire application can be made without **serious burden**, the examiner **must** examine it on the merits, **even though it includes claims to independent or distinct inventions.**

M.P.E.P. § 803 (emphasis added).

All of the claims are directed to a propulsion system for a watercraft or a method for operating a propulsion system for a watercraft. A proper search for art related to the elected species would necessarily include the classes and subclasses relevant to a search for the non-elected species. Thus, examination of all the claims would not present a

Appl. No. : 10/619,333
Filed : July 14, 2003

substantial further "serious burden" on the Office. Applicants therefore respectfully request that the present election of species requirement be withdrawn.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 17, 2004

By: 

Michael A. Guiliana
Registration No. 42,611
Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

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